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(4)

TO: PAUL SHANOSKI 703-872-9306FROM: JEROMY A. JOHNSONDATE: 6/11/2004TOTAL PAGES (Including Cover): 6

COMMENTS: Petition to withdraw holding of Abandonment  
base on Failure to receive Office Action  
Application # 10/083, 783  
Phone # 843-729-9711

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JUN 11 2004

## APPLICATION NUMBER

10/083,783

## FILING DATE

02/25/2002

## APPLICANT

Jeromy Johnson

TO: Office of Petitions

FROM: Jeromy Johnson

DATE: 03/22/04

SUBJECT: Petition to withdraw holding of abandonment based on failure to receive office action.

On February 2, 2004 I received a Notice of Abandonment that stated that I failed to timely or properly reply to the Notice to File missing parts mailed on 03/28/02. I never received the notice to file corrected application papers in the mail. If I had received this notice I would have promptly returned the corrected papers. I have no doubt that the notice was sent but because I never received the notice it is my belief and conclusion that the notice was lost in the mail. I have been working on this invention and patent for more than 5 years and would hate to start back at square one because of something that was unavoidable and out of my control. For the record, I would like it to be known that ever since my application was sent I have kept a file folder with all documents and mail pertaining to the filing. An activity docket has been kept through out the process and entries recorded to keep track of my filing. Everyday the mail was checked by me and if anything pertaining to my filing was received it was immediately filed it in my patent document folder. In this petition to withdraw holding of abandonment based on failure to receive office action I have attached my activity docket for further evidence that the notice for corrected papers were never received.

Thanks,  
Jeromy Johnson

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Application Number  
10/083,783

## ACTIVITY DOCKET

Filing Date 02/25/02

01/15/2003 I called and talked to Preston Wallace at 703-308-9452. He told me that the notice to file corrected application papers had been mailed on 03/28/02. I told him that I never received them in the mail. He then told me to give him a few days and he would try to get it reversed.

01/23/2003 I called Preston Wallace to follow-up. He said that he was still working on getting my application revived.

02/12/2003 I again called Preston Wallace and he gave me a number to call Dillard at 703-305-7654. I called Dillard and left a message. I got no return phone call.

03/10/2003 I called Preston Wallace and he told me that I would receive a Notice Of Abandonment in the mail. An option to revive my application would be given. I made sure my mailing address was correct.

03/03/2004 I received the notice of abandonment.

03/04/2004 I called Office of Petitions and left a message with Paul Shanoski.

03/05/2004 I again call the Office of Petitions and got in-touch with Paul Shanoski. He told me to print 711.03@ Delgar V. Schulyer and to read it.

03/17/2004 Talked with the office of petitions and the told me to send in a petition to withdraw holding of abandonment.

03/24/2004 Sent petition express mail

04/19/2004 Called Shanoski to see if he had received my petition. He had no record of it. He said to give it 2 more weeks.

05/10/2004 talked with Paul again and he had not received it yet. He told me to fax it and wait 2-3 weeks.

05/11/2004 Faxed the petition to Pauls attention.

06/11/2004 Called Paul to see if he had received my fax. Got his voice mail and left a message stating that I would fax the petition again.

06/11/2004 Faxed the petition to Pauls attention.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/083,783	02/25/2002	Jeromy Allen Johnson	

CONFIRMATION NO. 5472

FORMALITIES LETTER



\*0000000007732655\*

Jeromy Johnson  
806 Pretty Run Drive  
North Augusta, SC 29841

Date Mailed: 03/28/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - the application contains color drawings or color photographs, but not a black and white copy of the drawings/photographs (see 37 CFR 1.84(a)(2)(III) and 1.165(b));
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/083,783	02/25/2002	Jeromy Allen Johnson	

Jeromy Johnson  
806 Pretty Run Drive  
North Augusta, SC 29841

CONFIRMATION NO. 5472

ABANDONMENT/TERMINATION  
LETTER

\*OC000000011765159\*

Date Mailed: 01/26/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/28/2002.

- No reply was received.


A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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FROM: PLEASE PRINT

PHONE (706) 622-1959

Jeremy Johnson  
806 Peachy Run Dr  
Nash Augusta SC 29841

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TO: (PLEASE PRINT)

PHONE (703) 365-9282

Mail Stop Petitions  
Commissioner of Patents  
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Alexandria VA

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